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May 22, 2018

Via ECF:

Honorable Judge William Martini
United States District Court for the District of New Jersey
50 Walnut Street
Newark, NJ 07101

Re: ***Y.W. v. Kimberley Roberts, et. al.***
Case No: 14-cv-1642-WJM-MF (Under Seal)

Honorable Judge Martini:

This firm along with Lawrence Katz represents the Plaintiff.

By electronic Order dated March 15, 2018 Your Honor directed that Dispositive motions may be filed until June 1, 2018.

On March 27, 2018, after the conclusion of all discovery, Deputy Attorney General (DAG), Benjamin H. Zieman, raised settlement -- noting the change in posture of the case after having conducted the deposition of Plaintiff. After several discussions, on April 29, 2018, Plaintiff submitted a settlement demand.

In the beginning of this month, DAG Zieman informed me that he was leaving the Attorney General's Office and his last day would be May 11, 2018. DAG Zieman memorialized his exit by email dated May 8, 2018 which he copied to DAG Ashley Costello indicating that she "will be taking over the file" and might need an extension.

Last week, I sent several emails to DAG Costello requesting confirmation of whether she will be appearing in this matter, whether the Defendants will be filing a motion for summary judgment on June 1, 2018, or whether Defendants desire to continue settlement discussions. Last week, DAG Costello informed me she would file a substitution of counsel on May 21, 2018 and refused to indicate whether Defendants plan to move for summary judgment or seek an adjournment.

To date, the Defendants have not filed a substitution of attorney nor have they informed Plaintiff whether they will move for summary judgment or wish to continue settlement talks. The June 1, 2018 deadline is ticking, while dispositive motions are coming due. Plaintiff should not be disadvantaged if Defendants intend on making a last-minute application for an extension to file a dispositive motion after Plaintiff files his motion. Without a clear direction, more last-minute maneuvering and delays seem inevitable.

Plaintiff respectfully requests that pursuant to FRCP §16(c)(2) the Court take appropriate action in clarifying; either by telephone-conference or order directing Defendants to indicate whether they will be requesting an extension or rather, be filing their dispositive motion by June 1, 2018. Plaintiff respectfully requests that if the Defendants fail to inform the Court of its intentions that Your Honor direct that the Defendants will not be granted any extensions regarding the June 1, 2018 deadline to file dispositive motions.

Respectfully submitted,

Levi Huebner & Associates, PC

/ s / Levi Huebner

/ s / Lawrence Katz

Levi Huebner

Lawrence Katz

Attorneys for Plaintiff

Via ECF and Email:

DAG, Benjamin H. Zieman

DAG Costello

Attorney for Defendants